

SISTERING

Policy: Workplace Anti-Violence and Anti-Harassment Policy	Policy #:
Approved by: Board of Directors	Date approved: January 25, 2017

PURPOSE

Sistering is committed to the prevention of violence and harassment in the workplace. Although some incidents or situations involving workplace violence and harassment may be the result of larger societal problems outside our control, Sistering firmly believes that by working together with our employees, the risk of workplace violence and harassment can be minimized. Sistering is committed to providing a workplace that promotes professionalism, respectfulness, and ethical behaviour.

With respect to workplace violence, the objectives of this Policy include:

- demonstrate and promote the commitment of the Company to protect the safety and security of its employees;
- alert and educate employees to the fact that violence is prohibited under the laws of Ontario;
- confirm that the Company will not condone workplace violence;
- demonstrate the Company's commitment to protect employees from workplace violence;
- address violence from all possible sources (customers/clients, supervisors, employees, strangers, domestic partners); and
- outline the roles and responsibilities of the workplace parties in supporting the Policy and Workplace Violence Program.

POLICY

Workplace violence and workplace harassment, as defined in this Workplace Anti-Violence and Anti-Harassment Policy (the "Policy"), are strictly prohibited and will not be tolerated at Sistering.

Sistering will address incidents of workplace harassment and workplace violence with seriousness and sensitivity. Any Sistering employee found to be in violation of this Policy may be disciplined up to and including the termination of their employment for just cause, depending upon the circumstances.

Sistering will take every precaution reasonable in the circumstances to protect workers. This includes protecting workers from the hazards of workplace violence and workplace harassment.

SCOPE

This Policy applies to all employees, volunteers, contractors and vendors.

DEFINITIONS

Workplace Violence means:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;

- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or
- a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or workplace sexual harassment.

Workplace sexual harassment is a form of workplace harassment, and is defined as follows:

- engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Examples of prohibited conduct may include, but are not limited to, the following:

- Displaying or circulating offensive pictures or materials in print or electronic form;
- Bullying;
- Repeated offensive or intimidating phone calls, emails or text messages;
- Inappropriate sexual touching, advances, suggestions or requests; and
- Making remarks, jokes or innuendos that demean, ridicule, intimidate, or offend.¹

APPLICATION

This Policy applies to workplace harassment and workplace violence in any aspect of employment, including, but not limited to, recruitment, promotion, receipt of benefits, dismissal, layoff, performance evaluation, and working conditions.

This Policy covers violence and harassment in the workplace or during working hours. It also extends to violence and harassment outside the workplace and working hours in the event the occurrences are connected to the workplace. The workplace includes all locations where business activities of Sistering are conducted.

Due to the nature of the services provided, Sistering recognizes that participants may occasionally engage in behaviour that may fall within the definitions of violence and harassment. It is understood therefore such behaviour by participants will be addressed through established Drop-In and Participants' policies and may include services restrictions up to and including withdrawal of services. In such circumstances, Sistering will conduct investigations and comply with its obligations under this Policy as required.

Managers and Supervisors exercising their managerial responsibilities such as: meeting with employees for the purpose of addressing conduct/ performance related matters; formal supervision meeting,

¹ Ministry of Labour, occupational Health and Safety branch: "Workplace Violence and Harassment: Understanding the Law" publications, March 2010

performance appraisals; and discipline are not considered workplace violence or harassment under this policy.

ROLES & RESPONSIBILITIES

All workers are expected to:

- Treat everyone in the workplace with dignity and in a manner that is respectful and free of harassment and violence.
- Make changes to their own behaviour where they become aware that there is a potential for such behaviour to harm, intimidate, threaten or cause offence to others.
- Refuse to accept harassing, threatening, or violent behaviour from others, regardless of whether that behaviour originates from one's supervisor or co-workers, a client/customer, supplier, or a member of the public.
- Intervene and/or report instances of inappropriate behaviour on the part of others which could amount to workplace harassment or violence.
- Be supportive of others who are victims of workplace harassment or violence.
- Cooperate fully with a workplace harassment or violence investigation.
- Preserve evidence related to instances of alleged workplace harassment or violence, documenting dates, times and the names of any witnesses.

SECURITY MEASURES

Sistering has instituted these security measures to minimize the risk of violence on our premises.

- Sistering property shall be accessed only by employees, peers, participants, volunteers, vendors, contractors and visitors conducting legitimate business activities.
- All persons permitted entry to Sistering Drop-Ins and studios are screened by employees and then permitted access through the Drop-In or Administrative office doors
- Sistering shall be allowed to conduct searches and inspection of the Drop-Ins and Studios without prior notice given.

For Immediate Emergency Assistance

If an employee is physically assaulted or is in imminent danger of being physically assaulted, they should immediately remove themselves from the unsafe situation, secure themselves in a safe space (locked office) and call for assistance of a co-worker if possible. Contact Emergency Services (911) immediately.

Telephones are located throughout all worksites and mobile phones are available for use when out in the community.

Employee Safety Measures

Sistering endeavors to ensure the safety of all its employees, peers, volunteers and participants. Employees are asked to take the following measures to ensure their safety:

- Remove yourself from immediate danger.
- In the event of an altercation between participants, do not physically place yourself between them; stay out of harm's way.

- Follow all safety and security rules and practices.
- Always let your coworkers know of your whereabouts in the Drop-In, Studio and Community.
- Inform you Manager and Supervisor of your whereabouts when working in the community and at unfamiliar locations.
- Report any concerns regarding unsafe conditions in the course of duties involving community and home visits.
- Always ensure you have an escape route when dealing with volatile situations.
- Use non-violent crisis intervention and de-escalation techniques when dealing with volatile participants.
- Report any safety hazards or breaches of security in the workplace to your manager or supervisor immediately.
- If you see an unaccompanied stranger or suspicious person on the premises, follow emergency protocols.
- Familiarize yourself with the location of all exits
- Use common sense. Be alert to your surroundings at all times.

REPORTING PROCEDURES

In the event that an employee is directly affected by or has knowledge of incidents or threats of workplace violence or harassment, they are required to immediately report the incident to the Manager or Supervisor.

- Report an incident involving workplace violence immediately to your Manager or Supervisor, using the Incident Report Form (refer to Appendix A) and using Director or Executive Director calling unit if appropriate.
- Report an incident involving workplace harassment to your Manager or Supervisor, using a Harassment Complaint Form (refer to Appendix B).
- Incidents or reported workplace violence or harassment will be reported to the Joint health and Safety Committee by the Management Co-Chair.

Supervisors will advise employees of the existence of any potential or actual danger to health or safety of the employee of which the supervisor is aware, and take every precaution reasonable in the circumstances to protect employees.

Reprisals or threats of reprisals against any employee, acting in good faith, for reporting an incident of workplace violence or harassment, or by providing information regarding a report or complaint, are strictly prohibited, will not be tolerated and re subject to disciplinary action, up to and including dismissal for cause.

Frivolous and vexatious complaints will be subjected to disciplinary action, up to and including termination.

Post – Incident Procedures

As soon as possible following the incident, where appropriated, and based on the severity of the incident, victims may be offered:

- Medical attention;
- Informal de-briefing, allowing the victim to talk through their experience with co-workers and Managers and Supervisors;

- Counselling supports;
- Voluntary confidential trauma counseling with a skilled Counsellor; and
- Time off work, depending on the severity of the incident and medical documentation supporting the need for time off.

INVESTIGATIONS

A report of workplace violence or harassment will be treated as a serious matter. The investigation and response shall be coordinated by management and dealt with appropriately. All investigations into allegations of workplace violence and harassment will be dealt with in a fair, respectful, and timely manner.

- Investigations into reported incidents alleging an employee, volunteer, contactor or vendor of engaging in violent or harassing behaviour towards an employee will be coordinated by the Coordinator or Unit Director.
- Investigation of reported incidents alleging a participant of engaging in violent or harassing behaviour towards an employee will be coordinated by the Coordinator or Unit Director.
- Investigations of reported incidents alleging an employee of engaging in violent or harassing behaviour towards a participant will be coordinated by the Coordinator or Unit Director.
- The status of investigations involving workplace violence and harassment, including the resulting actions taken, will be reported to the Health and Safety Committee by the Management Member.

An incident or complaint will be investigated in a manner appropriate to the circumstances. This may include an internal investigation or the use of external resources as appropriate, in Sistering's sole discretion. The investigators may undertake some, or all the following procedures as deemed appropriate in the circumstances:

- Review the allegations;
- Conduct interview(s) of the complainant, the subject of the complaint, potential witnesses, or anyone with relevant information;
- Collect and review documents; and
- Review the workplace or sites of the incidents.

The consequences for anyone found to have engaged in workplace violence or harassment, and depending upon the severity of the circumstances, may include but are not limited to:

- **For Sistering Employees** – disciplinary action, up to and including, termination of employment
- **For Sistering Volunteers** – termination of volunteer assignment
- **For Contractors and Vendors** – termination of contract
- **For Participants** – Service restrictions, up to and including, discharge from services

DOMESTIC VIOLENCE

Sistering acknowledges that domestic violence can directly or indirectly affect the workplace (e.g. abuser harasses or assaults the victim on the job, the victim is absent from work due to injuries). If Sistering becomes aware or ought reasonably to be aware that domestic violence is likely to expose an employee to physical injury in the workplace, Sistering will take every reasonable precaution to protect the employee.

Sistering is also committed to supporting employees who may be experiencing domestic violence in their personal lives. In the event that the employer becomes aware that an employee is a victim of domestic violence, their Manager will:

- Make every effort to ensure the employee's confidentially
- Support the employee in contacting the appropriate civil authorities
- Work with the employee to develop a safety plan when they attend the workplace.
- Ensure the employee is made aware of the support they can receive through the benefit programs
- Encourage the employee to have the workplace included on restraining orders

PREVENTATIVE MEASURES

Sistering will do the following to reduce the risk of incidents of workplace violence:

- Conduct an annual Workplace Violence Risk Assessment (the "Risk Assessment"). The Risk Assessment will take into account:
 - circumstances that would be common to similar workplaces;
 - circumstances specific to the workplace; and
 - any other elements prescribed by law.
- The Risk Assessment will also take into account:
 - the existence of potential risks due to interactions with the public, employees and customers/clients; and
 - Sistering's safety plans.
- The Risk Assessment will use the following methods:
 1. Employee surveys
 2. Manager Surveys
 3. Review of incident reports (refer to Appendix A)
 4. Environmental assessments to determine hazards (refer to Appendix C)
 5. Obtain information from similar workplaces
- Report the results of the risk assessment to the Health and Safety Committee. This will be done by Human Resources.
- Use the results of the risk assessment to address any determined risks appropriately.
- Regularly review workplace health and safety policies and workplace safety tips with employees.
- Reassess the risks of workplace violence as often as necessary to ensure that this Policy and the related program continue to protect employees from workplace violence.
- Provide employees with training/instructions in the management of hostile and angry participants to effectively diffuse volatile situations and prevent escalation to violence (e.g. Non-Violent Crisis Intervention, Understanding and Managing Aggressive Behaviour, etc. training).

DISCLOSURE AND CONFIDENTIALITY

Although management of Sistering will make every effort to keep the incident or complaint as confidential as possible, it is not always possible to do so in the course of the investigating or resolving an incident or complaint and individual statements may be subject to disclosure in legal proceedings. Disclosure may also be made where necessary for the purposes of investigating or taking corrective action, to protect workers, or where required by law.

Sistering will provide information to employees if it is expected they will encounter an individual with a history of violent behaviour, of which Sistering is aware, and that the individual poses a risk of workplace violence that is likely to result in physical injury. However, Sistering will only disclose the information reasonably necessary to protect employees from violence.

PROGRAMS

Sistering will develop workplace harassment and workplace violence programs to implement this Policy. With respect to workplace violence, the program will:

- include measures to take and procedures to follow in order to control risks of workplace violence identified in the risk assessments as likely to expose an employee to physical injury;
- include measures to take and procedures to follow in order to summon immediate assistance when workplace violence occurs or is likely to occur;
- include measures that employees must take and procedures that they must follow to report incidents of workplace violence to Sistering or their supervisor; and
- set out how Sistering will investigate and deal with incidents or complaints of workplace violence.

TRAINING AND INFORMATION

Sistering will provide training and education that is appropriate for employees with respect to the contents of this Policy and program with respect to Workplace Violence and Harassment.

This policy shall be posted on the Health and Safety Board at all Sistering Locations.

Any breaches of this Policy will be addressed in a manner appropriate to the circumstances, and may result in the obligation to attend training, a transfer to an alternate position (including a demotion), and/or discipline up to and including termination of employment for cause.

Acts of physical violence, threats to cause bodily harm and criminal harassment are serious criminal offenses, and Sistering reserves the right, but not the obligation, to pursue criminal action.

Sistering will review this Policy as often as is necessary, but at least annually.



Appendix A

If the incident relates to staff safety, please use a PINK form Incident Report

- ❖ An Incident Report is to be filled out whenever a serious behavioural incident, medical emergency, injury, or property damage has taken place at Sistering.
- ❖ **Drop In Only:** Write a brief synopsis in Log and note incident report has been written.
- ❖ **In the event of worker injury, has the Unit Director been informed?** Yes No
- ❖ Once an incident report is written, file it in the incident report binder and provide a copy to the relevant coordinators.

In the event of worker’s injury, the worker has the right to file a WSIB claim (website)

Online Form: https://eservices.wsib.on.ca/portal/server.pt/community/eform_6/209

PDF Form: <http://www.wsib.on.ca/cs/groups/public/documents/staticfile/c2li/mdex/~edisp/wsib011595.pdf>

Date and Time of Incident: _____

Name of Lead Staff for the Incident: _____ Incident Report Written by: _____

Name of Participant(s): _____

Description of Participant(s):

Where Did the Incident Take Place: _____

Was the Incident: Behavioural Medical Injury Sustained Property Damage

Was There Any Violence? Yes No Was There Any Violence against Staff? Yes No

The nature of the Violence: Verbal Physical



Appendix B

HARASSMENT COMPLAINT FORM

1. Name of complainant:

2. Work Location:

3. Person(s) you are allege of workplace harassment (respondent/s)

4. Nature of the allegations (attach extra paper) if required:

5. Date(s), time(s), where the incident took place (attach extra paper if required)

6. Did anyone witness the incident? Yes/No

If yes:

(a) Names of Witness(es):

(b) Description of their respective role in the incident:

(c) How did you react to the harassment?

7. If applicable, describe any incident that took place previously:

I am filling this complaint because I honestly believe that _____ has engaged in workplace harassment.

I hereby certify that to the best of my knowledge that the above-mentioned information is true, accurate and complete. Making false, vexatious or frivolous allegations is in violation of Sistering’s Polices and subject to disciplinary action.

Furthermore, I realize that an investigation as per policies will be initiated once this complaint has been filed.

Signature of the complainant

Date



Appendix C

HAZARD REPORTING FORM

DATE _____ (D/M/Y) STAFF _____

LOCATION: _____ TIME: _____

DESCRIBE HAZARD

DESCRIBE ANY ACTION TAKEN

FORM COMPLETED BY _____

POSITION: _____